

TO AMEND THE INTERNATIONAL CENTER ACT TO AUTHORIZE THE LEASE
OR SUBLEASE OF CERTAIN PROPERTY DESCRIBED IN SUCH ACT TO AN
ENTITY OTHER THAN A FOREIGN GOVERNMENT OR INTERNATIONAL
ORGANIZATION IF CERTAIN CONDITIONS ARE MET

JANUARY 28, 2008.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. OBERSTAR, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3913]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom
was referred the bill (H.R. 3913) to amend the International Center
Act to authorize the lease or sublease of certain property described
in such Act to an entity other than a foreign government or inter-
national organization if certain conditions are met, having consid-
ered the same, report favorably thereon without amendment and
recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 3913 amends the International Center Act to authorize the
lease or sublease of certain property described in such Act to an en-
tity other than a foreign government or international organization
if certain conditions are met.

BACKGROUND AND NEED FOR LEGISLATION

The Vienna Convention of 1962 on Diplomatic and Consular Re-
lations requires that (1) the sending State locate its Chancery in
the receiving State Capital City; (2) the receiving State assist the
sending State in locating suitable an affordable space for its Chan-
cery; and (3) the receiving State provide adequate protection for
such facilities. To fulfill this obligation and provide land for new
embassies and consulates, the U.S. State Department acquired
land in the District of Columbia pursuant to the International Cen-
ter Act (“ICA”) (P.L. 90-553). This 47-acre parcel of land, known
as the International Center, is located on Connecticut Avenue and

Van Ness Street, N.W., in Washington D.C. and offers leased space for foreign government and international organizations.

Intelsat, which is a tenant of the International Center, was an international commercial cooperative of 142 countries created in the 1960s that provided global telecommunications including television, telephone, and data transmission to every continent. In 1982, consistent with provisions of the ICA, the State Department entered into a long-term lease with Intelsat for the land on which Intelsat built its headquarters. In 2000, Congress enacted the “Open-market Reorganization for the Betterment of International Telecommunications Act” (“ORBIT Act”) (P.L. 106–180), which privatized Intelsat. With enactment of the ORBIT Act, Intelsat’s lease no longer satisfied the technical requirements of the ICA.

SUMMARY OF THE LEGISLATION

Section 1. Amendment to the International Center Act

Section 1 amends the first section of the International Center Act (P.L. 90–553) by adding new language to permit the United States to lease or sublease designated property in the District of Columbia to an entity other than a foreign government or international organization, provided that the Secretary of State maintains the right to approve the occupant and the intended use of the property.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On October 22, 2007, Representative Ileana Ros-Lehtinen introduced H.R. 3913, to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met.

On January 16, 2008, the Committee on Transportation and Infrastructure met in open session, and ordered H.R. 3913 reported favorably to the House by voice vote with a quorum present.

RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 3913 reported. A motion to order H.R. 3913 reported favorably to the House was agreed to by voice vote with a quorum present.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(I) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely

submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to authorize the lease or sublease of certain property described in the International Center Act to an authority other than a foreign government or international organization if certain conditions are met.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 3913 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 18, 2008.

Hon. JAMES L. OBERSTAR,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3913, a bill to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 3913—A bill to amend the International Center Act to authorize the lease or sublease of certain property described in such Act to an entity other than a foreign government or international organization if certain conditions are met

H.R. 3913 would amend current law to allow private entities to lease certain property at the International Chancery Center (ICC)—a parcel of land in Washington, DC, owned by the federal government. Under current law, only foreign governments and international organizations are eligible to lease property at the ICC. CBO estimates that H.R. 3913 would have no effect on the federal budget.

The property specified in H.R. 3913 has been leased to Intelsat since 1982. Intelsat was established in 1964 as an international organization, but was privatized in 2001. The bill would clarify Intelsat's right to continue under its lease as a private corporation.

The Department of State reports that since being privatized, Intelsat has made all the payments required under its lease, and CBO expects it would continue to do so under the bill. H.R. 3913 also would allow Intelsat to sublet or otherwise transfer its lease to another private entity, subject to approval of the Secretary of State.

H.R. 3913 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Sunita D'Monte. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 3913 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 3913 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

INTERNATIONAL CENTER ACT

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to facilitate the conduct of foreign relations by the Department of State in Washington, District of Columbia, through the creation of a more propitious atmosphere for the establishment of foreign government and international organization offices and other facilities, the Secretary of State is authorized to develop in coordination with the Administrator of General Services for, or to sell, exchange, or lease to foreign governments and international organizations property owned by the United States in the Northwest section of the District of Columbia bounded by Connecticut Avenue, Yuma Street, 36th Street, Reno Road, and Tilden Street, except that portion of lot 802 in square 1964, the jurisdiction over which was transferred to the District of Columbia for use as an educational facility, upon such terms and conditions as the Secretary may prescribe. Every lease, contract of sale, deed, and other document of transfer shall provide (a) that the foreign government shall devote the property transferred to use for legation purposes, or (b) that the international organization shall devote the property transferred to its official uses. *Notwithstanding the foregoing limitations, the property identified by the District of Columbia as tax lots 803, 804, 805, and 806 within the area described in this section may be leased or subleased to an entity other than a foreign government or international organization, so long as the Secretary maintains the right to approve the occupant and the intended use of the property.*

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